

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JET PRO, INC.,

Plaintiff,

v.

CARDILE BROTHERS MUSHROOM
PACKAGING, INC.,

Defendant.

No. C 12-0830 PJH

**ORDER DENYING MOTION TO
AMEND JUDGMENT**

Plaintiff Jet Pro, Inc.'s motion to amend judgment came on for hearing before this court on June 20, 2012. Plaintiff Jet Pro, Inc. ("plaintiff") appeared through its counsel, Bernard P. Kenneally. Non-party respondents Cardile Mushrooms C&M, LLC, Cardile Brothers Transportation, Inc., Cardile Mushrooms, Inc., Michael Cardile, and Charles E. Cardile, Jr. ("non-party respondents") appeared through their counsel, Michael F. Hardiman. Having read the papers filed in conjunction with the motion and carefully considered the arguments and the relevant legal authority, and good cause appearing, the court hereby DENIES plaintiff's motion, for the reasons stated at the hearing and as follows.

The court finds that plaintiff has not met its burden with respect to showing a unity of interest between defendant Cardile Brothers Mushroom Packaging, Inc. ("defendant") and non-party respondents. As a result, alter ego liability as to non-party respondents cannot be established. Because the court does not find the required unity of interest, it is not necessary to address the jurisdictional concerns or the evidentiary objections raised by non-party respondents.

IT IS SO ORDERED.

Dated: June 25, 2012



PHYLLIS J. HAMILTON
United States District Judge

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